

MOA Between the SWRCB and DOGGR on UIC, Discharges to Land, and Other Program Issues

July 24, 2018 – Item 5



Background

- Revision to 1988 Memorandum of Agreement (MOA)
- Reflection of changes in processes and increased involvement of Water Boards
- Cooperation between Water Boards and DOGGR in area of overlapping authority

Background

- DOGGR is lead agency for regulating Class II oil and gas related injection wells
- DOGGR administers program pursuant to an MOA with US EPA Region 9
- This MOA does not cover the Water Boards' well stimulation program (SB4)

Scope of MOA

- Underground Injection Control
 - Aquifer exemption proposals
 - UIC project reviews
- Discharges of produced water to land
- Other areas:
 - Incident response (spills)
 - Enforcement coordination
 - Information sharing
 - Professional stamping

MOA Comment Process

- Informal outreach to stakeholders in March
- 30-day public comment period May-June
- Comments received from:
 - Centers for Biological Diversity
 - Clean Water Action, Central California Environmental Justice Network, Environmental Working Group, Natural Resources Defense Council
 - SB 83 UIC Panel Members
 - So. California Gas Company
 - Western States Petroleum Association

Comments

- Major changes based on comments
 - Reconciling DOGGR's proposed UIC regulations and the UIC Project Data Requirements checklist
 - Clarification of the PG/PE stamping requirement
 - Inclusion of a tracking system for aquifer exemption proposals
 - Clarification of references to State and Regional Boards
 - Addition of a process for enforcement of conditions in project approval letters (PALs)

Comments

- Major comments not incorporated
 - Timetable for reviews of aquifer exemptions and UIC projects
 - Operator review of water quality conditions prior to the issuance of a PAL
 - Inclusion of a public comment period for PALs
 - Mandatory groundwater monitoring for all PALs
 - Discontinuation of permitting produced water ponds

Staff Recommendation

Staff recommends that the State Water Board adopt the resolution authorizing the Executive Director to finalize and execute the Revised MOA between the State Water Board and DOGGR.



CALIFORNIA

Water Boards

STATE WATER RESOURCES CONTROL BOARD

REGIONAL WATER QUALITY CONTROL BOARDS